

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KERRY SNOW YEAGER,

Defendant.

CR 19–42–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendation in this matter on October 10, 2019. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommended this Court accept Kerry Snow Yeager’s guilty plea after Yeager appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of wire fraud in violation

of 18 U.S.C. § 1343 (Count I), one count of aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1) (Count II), and one count of tax evasion in violation of 26 U.S.C. § 7201 (Count III), as set forth in the Information.

I find no clear error in Judge DeSoto's Findings and Recommendation (Doc. 11), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Kerry Snow Yeager's motion to change plea (Doc. 4) is GRANTED and Kerry Snow Yeager is adjudged guilty as charged in Counts I, II, and III of the Information.

DATED this 25th day of October, 2019.



Dana L. Christensen, Chief District Judge
United States District Court